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02 APR 2007

In re Application of :
Brown et al. :
Application No. 10/528,156 :
PCT No.: PCT/NZ03/00210 :
Int. Filing Date: 17 September 2003 : DECISION
Priority Date: 17 September 2002 :
Atty. Docket No.: 4450-12 :
For: DNA-Targeted Benzotriazine 1,4- :
Dioxides And Their Use In Cancer :

This is in response to the "Request For Reconsideration" filed on 08 November 2006.

DISCUSSION

In a Decision mailed on 08 September 2006, the declaration filed on 17 August 2005 was not accepted, without prejudice, because

Since this discrepancy clearly represents more than a mere typographic error or phonetic misspelling of applicant's name, a proper petition and fee under 37 CFR 1.182 would be required to resolve this matter. See MPEP § 605.04(b) and MPEP § 201.03(b).

In response, counsel argues that "The error in the inventor's name is of a typographical nature, since it involves the transposition of the letter "J" (compare "J. Martin Brown" and "Martin J. Brown"). Furthermore, the error was made during publication by the International Bureau (IB)."

On 08 March 2007, the International Bureau republished the instant international application. In the republished version, the name of the inventor in controversy has been corrected to "BROWN, J Martin." Based on the totality of the evidence currently of record, it would be appropriate to accept the name "J. Martin Brown" as it appears on the executed declaration filed on 17 August 2005.

CONCLUSION

The declaration filed on 17 August 2005 is ACCEPTED.

This application is being forwarded to the National Stage Processing Branch for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is 17 August 2005.

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